

SURROGATE'S COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the Matter of the Application of ORLY : File No.: 0017/2008/B
GENGER, as a person interested, for the removal :
of DALIA GINGER as Trustee of the Orly : **NOTICE OF MOTION TO DISMISS**
Genger 1993 Trust pursuant to SCPA § 711(11) : **ORDER TO SHOW CAUSE AND**
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PLEASE TAKE NOTICE that upon the annexed verified affirmation of John Dellaportas, the Third Amended Petition on file (the "Petition"), the Order to Show Cause issued by the Honorable Rita Mella on August 5, 2014 (the "Order to Show Cause"), and all prior proceedings had herein, Asaaf Sternberg, Trustee of the Sagi Genger 1993 Trust ("the Trustee"), by his attorney, Morgan, Lewis & Bockius LLP, will move this Court sitting, at 31 Chambers Street, Room 503, New York, New York, at 10:00 a.m. in the forenoon of October 24, 2014 or as soon as counsel can be heard, for an Order denying the Order to Show Cause and dismissing the Petition on the ground that this Court lacks personal jurisdiction over the Trustee, or, in the alternative, for the reasons set forth in the Motion to Dismiss Third Amended Petition submitted by Dalia Genger and filed on December 5, 2012.

Pursuant to CPLR 2214(b), any answering papers must be served so as to be received by October 17, 2014, and reply papers must be received by October 23, 2014.

Dated: New York, New York
September 19, 2014

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: JM

John Dellaportas

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*Attorneys for Asaaf Sternberg, as
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